

BDAC Ecosystem Roundtable Meeting

9 May 1997

Attendee List

Round table Members

John Beuttler (UAC)
Nat Bingham (PCF Fishermens Assocs.)
Gary Bobker (Bay Institute)
Martha Davis (Sierra Nevada Alliance)
Bill Gaines (California Waterfowl Assoc.)
Greg Gartrell (Contra Costa W.D.)
Randy Kanouse (EBMUD)
Jackie McCort (Sierra Club)

John Mills (Reg. Council of Rural Counties)
Hari Modi (NCPA)
Jason Peltier (CVPWA)
Tim Quinn (MWD)
Allen Short (Modesto Irrigat. Dist.)
Walt Wadlow (Santa Clara Valley W.D.)
David Yargas (Environ. Def. Fund)
Tom Zuckerman (CDWA)

Other Participants

Karen Barnette (USDA Forest Service)
Anthony Barkett (SEWD)
Jeff Bensch (Tetra Tech)
Tom Cannon (Jones & Stokes Associates)
Scott Clemons (Wildlife Conservation Bd)
Bill Crooks (City of Sacramento)
Gilbert Cosio (Murray, Burns & Kienlen)
Cindy Darling (CALFED)
Tim Ford (TID/MID)
Amy Fowler (SCVWD)
Bob Garzee (Synergy EV, Inc.)
Michael Gutterres (City of Stockton)
Eric Hammerling (NF&WF)
Kate Hansel (CALFED)
Toby Hanes (Hydro Service)
Perry L. Herrgesell (DFG)
Steve Hirsch (MWDSC)
Jeff Jaraczski (NCWA)
Jan Jennings (TCCA)
Leslie Friedman Johnson (Nature Conserv)
Brenda Johnson (U.C. Davis)
Marti Kie (DFG-RGJV)
John Kopchik (Contra Costa Water Agency)
Jordan Lang (CALFED)
Steve Long (CH2M Hill)
Bill Loudermilk (DFG)

Tryg Lundquist (UC Berkley)
Marc Luesebrink (Resources Agency)
Greg Martinelli (Suisun Resource Conserv.)
Roger Masuda (Turlock I.D.)
Joel Medlin (USFWS)
Carl Mesick (SEWD)
Terry Mills (CALFED)
Jonas Minton (Water Forum)
Earl Nelson (Western Area Power Admin.)
Frank Nelson (Marin Conserv. League)
Bob Noyes (Law Eng. & Env. Svcs.)
Jeff Phipps (CVPIA Roundtable)
Larry Puckett (DFG/FWS)
Kathy Pye (Yolo County RCD)
Bob Raab (BDAC)
Tim Ramirez (Tuolumne River Trust)
Barbara Salzman (Audubon Society)
Wayne Sawka (Ewing Group)
Louise Steenkamp (Brown and Caldwell)
Tom Suchanek (DES-UCD)
Wayne Verrill (DWR)
Doug Wallace (EBMUD)
Scott Wilcox (CALFED)
Chuck Williams (City of Stockton)

Action Items and Decisions

1. Round table members should consult the Attorney General's office regarding any questions about potential conflict of interest.
2. Flow related restoration actions, particularly those involving water acquisition, will not be indicated as suitable for Category III funding.
3. Water supply, hatchery expansion, land retirement, and modification of SWP or CVP Delta facilities or operations are example actions that will not be considered suitable for Category III funding.
4. A feasibility analysis of reintroduction of anadromous fish above large reservoirs can be included as an example action in the RFP.
5. Funding for regulatory related actions will be considered on a cases by case basis.
6. Educational actions will be considered for funding.
7. Example restoration actions will be included as an informational item in the RFP mailing.
8. Changes in the text of the RFP will be made in response to Round table comments.
9. Ranking or prioritization of stressors or actions will not be included in the RFP. Priority setting will be left to the technical review panels.
10. Names of potential technical review panel members should be suggested to Kate Hansel as soon as possible.

Future meetings of Round table are as follows:

Friday, June 13, 9:30 a.m.-12:30 p.m.

Friday, July 11

Friday, August 8

Draft Meeting Notes

The meeting began at 9:50 a.m. with introductions, a reminder to sign in for the meeting, and a show of appreciation for the work that Cindy Darling has done over this past eight months. This will be Cindy's last meeting before she goes on leave.

Cindy briefly reviewed the schedule and components of the RFP, including information package items and the proposal formats, to provide background for those individuals that may have not been at the last Round table meeting. Answers to questions about the RFP process raised during the April 30 meeting were provided in a two-page response document that was distributed during the meeting. Cindy briefly reviewed each of the answers to questions. Question #4 regarding beginning work prior to the executed contract requires some additional follow-up to answer questions related to items that may be in process prior to funding (i.e., land acquisition projects). Regarding Question #5, all proposals become public at the conclusion of the review process. It was suggested that this list of answers to questions be appended as needed and used for the

upcoming public meeting and other forums in order to consistently and clearly answer many common questions that are liable to arise during the RFP process.

Cindy reviewed Attachment 3 to the meeting packet information regarding Instructions for Filing Category III applications. The RFP will likely be separated into 3 different types of requests: Public Works Contracts, Real Estate Transactions, and Other Proposals. Other comments and discussion regarding the Instructions for Filing Applications included the following.

- Regarding the list of restoration actions--the text should note that the actions are intended to provide information and examples. They are not an all-inclusive list.
- Available funding sources for RFP. It was noted that there will be different requirements for different funding sources. CALFED staff will decide on the appropriate funding source to be used for any proposal. It is not the responsibility of the applicant to do that.
- Review and Selection Process. Quick Look proposals are expected to be funded in January, after a full proposal is received in the fall. This process is separated in time from the initial formal proposals.
- It should be noted in the RFP that proposals of all sizes are encouraged.
- There should be a page limit on the length of the proposals.
- A one page summary should be included for each proposal. The RFP should include a sample format for the summaries.
- Conflict of Interest. There was extensive discussion and additional questions of the conflict of the interest provisions in the RFP. Round table members were encouraged to discuss specific conflict of interest concerns with the Attorney General's office by contacting Ken Williams at 327-7859. There was general agreement by the Round table members that member organizations not apply for Category III funds in part due to the perceived conflict of interest. A clarification was requested regarding the difference between government and other organizations with regard to conflict of interest in responding to the RFP.

EXAMPLE RESTORATION ACTIONS

Cindy reviewed Attachment 5 on example restoration actions. This list is a "virtual pool" that may be applicable to many different funding sources. A subset of this list will be used for this years' first round of Category III funding.

Some of the example actions developed by the technical teams raise policy issues associated with Category III funding or overall CALFED policy guidance. These issues, along with the recommended response agreed to by the Round table, are summarized below:

1. **Flow Related Actions.** Many of the actions identified to address the stressor of Hydrograph Alterations are flow related and so may not be appropriate for Category III funding.

Recommendation: Do not include examples such as water acquisition. Retain flexibility to take actions such as ones that could provide flow benefits as ancillary benefits of the project (e.g., land acquisition for habitat that also comes with some water rights, Battle

Creek power agreements, etc.), or that provide analytical tools for future flow management (e.g., reservoir operation assessment, flow studies, etc.).

2. **Water supply actions.** Technical teams identified several example actions that are related to water supply actions such as wastewater reclamation that could be funded by other portions of Prop 204. These types of actions tend to be expensive and are unlikely to be cost-effective at providing flows for fish and wildlife.

Recommendation: Do not include these as example actions. Staff should work with DWR to identify opportunities to coordinate with other portions of Proposition 204.

3. **Reintroduction of anadromous fish above existing large reservoirs.** One technical team recommended a feasibility study to determine if it is an affordable, technically viable option to reintroduce anadromous fish above an existing reservoir. There are tremendous technical and policy obstacles which would have to be overcome for this type of action to be viable.

Recommendation: It is appropriate to include a feasibility analysis of this issue as an example action.

4. **Hatchery expansion.** Expansion of existing hatcheries may contribute to conflicts between wild and hatchery stocks, but it could also help maintain populations which have been depleted by other problems in the watershed. It is not clear how this issue will be treated in the Ecosystem Restoration Program Plan.

Recommendation: Do not include hatchery expansion in example actions, but retain flexibility to consider funding proposals if there is consensus. A comprehensive review of hatchery expansion issues should be conducted before funding is considered.

5. **Regulatory actions.** There are a number of actions which propose increased regulatory requirements to address problems. These include changes to angling regulations, increased enforcement of ballast water regulation, and regulatory approaches to erosion control.

Recommendation: These types of recommendations should be limited to research or development of cooperative approaches to improve regulation.

6. **Changes in operations or physical facilities for SWP and CVP delta facilities.** These types of actions very likely will not meet the requirement that projects not prejudge the selection of the CALFED alternative, or in some cases the actions could be considered flow related.

Recommendation: Exclude modifications of the SWP and CVP delta facilities or modifications of operations as potential actions. However, research related actions may be acceptable.

7. **Land retirement.** CALFED has already determined that land retirement is not appropriately considered as a water conservation measure. It is a tool that can address water quality problems. It is also being addressed in other forums.

Recommendation: Do not include land retirement as an example action to address flow related stressors.

8. **Coordination between agencies.** There are several recommendations under the "Land Use" stressor that call for improved coordination among state and federal land use agencies. Agency coordination can be addressed through development of watershed groups that include all affected interests. CALFED has also recognized the need for better coordination with agencies such as US Forest Service and Bureau of Land Management.

Recommendation: Include watershed management planning in the example actions. Do not include references to adding agencies to CALFED.

9. **Educational projects.** Educational projects can include focussed efforts to change the behavior of a specific group such as education on introduced species. Educational opportunities associated with restoration projects have less of a direct benefit but can be valuable in the long run.

Recommendation: Include educational opportunities associated with habitat restoration as example actions.

10. **Climate change.** There are likely no feasible actions which would address this stressor directly. It is also one of the lowest priorities. However, in evaluating habitat restoration in areas like the Delta that could be vulnerable to sea level rise, it may be a general concern. For example, it would be prudent to ensure that there are habitat corridors moving up in elevation from the Delta.

Recommendation: Indicate that there are no example actions directly addressing this stressor.

11. **Actions where there is an on-going regulatory action.** There are a number of actions where there is some existing legal requirement such as a Cease and Desist Order from the Regional Board on a water quality violation, a Superfund site which is in the process of cleanup, or a Biological Opinion which requires construction of a fish screen. Some of these types of actions could be candidates for funding.

Recommendation: Consider proposals on a case-by-case basis and seek legal advice prior to funding.

Other general guidance and comments regarding the restoration actions included the following.

- Provide information in the RFP that directs applicants to other sources of funds.
- Have CALFED staff consider directing the non-Category III proposals to other sources of funding.
- "Non-flow related" means direct acquisition of water is not the primary purpose of the project.
- An additional column will be added to the restoration action table indicating whether or not the example action is a Category III area of emphasis.

Individual items listed in Attachment 5 (Stressors and Example Restoration Actions) were discussed, along with potential organizational changes for the inclusion of this information in the RFP. It was suggested that the action list be included as an informational item with the RFP packet, rather than including it as an integral part of the RFP. Additional text will be drafted to provide appropriate qualifiers for the action list, and more extensive descriptions of the stressors will be provided in the RFP as a separate section. The locations identified in the action list will be referred to as "example" locations. Applicants will be referred to the technical team reports for additional information on these actions, where available.

It was noted that clarifying and condensing action items was appropriate, but the Round table should not be specifically changing any actions suggested by the technical teams or umbrella team. Selected changes were made in the descriptions of a few of the restoration actions. These included ocean harvest descriptions, incentives to increase areas of enhanced agricultural lands, establishing anadromous fish runs in lower reaches of the Calaveras River, and Tuolumne and Calaveras County Resource Conservation Districts. A caveat needs to be included in the text indicating that the example actions are not all inclusive.

CRITERIA FOR EVALUATION OF PROPOSALS

Kate Hansel reviewed the criteria for evaluation of proposals, which is a revised Attachment 4 to the meeting packet (dated 5/8/97). Kate briefly reviewed the changes that had been made since the last draft.

- The Round table recommended that a paragraph on water quality should be included.
- Operations and Maintenance. Staff is still getting legal input on the issue of how proposals must deal with operation and maintenance cost and the source of funds. The proposals should list the ongoing O&M needs and sources of funding.
- Land Acquisition. Kate clarified the intent of the text on block grant funding. There may be a need for information regarding state land acquisition requirements related to how agencies can hold title to land.
- It was noted that the criteria for proposals should link the actions to the long-term CALFED program as well as to their related stressors.
- The section on education (page 2) should be revised to reflect actions in the final example matrix.
- The minimum requirements should have the monitoring program section rephrased to state that it is a "monitoring assessment and reporting program."
- The headings for criteria have been recombined into seven areas to allow for more reasonable distribution of ranking. All of the same questions are included in the recombined seven criteria that were included in the previous nine criteria.
- There may be a need to develop a proposed format for monitoring for the applicants ahead of time so that they know what sort of monitoring program to develop.
- There may be a need to include budget and performance monitoring under the minimum requirements section.
- Any comments on the criteria should be noted by Round table members and transmitted to Kate Hansel as soon as possible.

- Under page 3 item 5 “compatibility and benefits to non-ecosystem CALFED objectives,” a question was raised as to whether there will be a list of non-ecosystem CALFED objectives included in the RFP.

STRESSOR RANKING

Cindy Darling reviewed and explained a ranking of stressors that was distributed as a handout during the meeting (5 pages plus cover). Cindy explained that these rankings are a decision making tool that provides an indication of high, moderate, or low priority. These rankings were developed from the input from all the geographical technical teams and the umbrella team, who were asked to prioritize stressors and actions from a technical viewpoint. There was extensive discussion of the ranking information, and comments are included below.

- A concern was expressed that selected technical teams were not able to assign overall ranks to stressors or actions, so these actions should not be ranked by other groups such as the umbrella team or the Round table either.
- Concern was expressed that low ranking stressors may not be elicit any proposals, resulting in “the net not being cast widely enough.”
- There were comments from the audience that there needs to be some technical justification for refusing particular proposals, and the prioritization of stressors provides some of that justification.
- Concern was expressed that there are not published papers providing a technical justification for each of these rankings, and therefore the Round table may be unjustified in using them.
- The stressor rankings may encourage too much prejudgement of possible proposals.
- Ranking of stressors could be deferred to the selection panel.
- Evaluation could occur on a project by project basis, rather than using an overall ranking system for prioritization of the types restoration actions to be implemented.
- Applicants could present their arguments for the importance of a particular stressor in their proposal.

Cindy Darling summarized the conclusions of the Round table membership with the following points.

1. No ranking or prioritization of stressors or actions will be included in the RFP.
2. It is recognized that all stressors are not of equal importance.
3. The importance of addressing a particular stressor can be presented by the applicants in their proposals.
4. The technical review panel (specifically the integration panel) will evaluate the relative importance of stressors that are addressed by proposed restoration actions.

TECHNICAL REVIEW PANELS

Kate Hansel discussed the technical review panels and their responsibility, composition, qualifications, and focus areas. In addition to the technical panels there will be an integration panel with slightly different responsibilities and composition. A handout was distributed on the

proposal evaluation and selection process, and the role of each of the panels in it. Comments and clarifications on the selection panels included the following.

- There will be several different selection panels, possibly divided by different geographical areas depending on the number of proposals.
- There was some concern expressed that the panels may be prejudging proposals based on the composition of their membership, and their screening function.
- It was noted that research proposals should be evaluated under their respective technical area, as opposed to having a separate "research" proposal category.
- A larger number of panel members should be considered, especially on the integration panel.
- Names of potential panel members should be provided to Kate Hansel as soon as possible.

Kate's e-mail address is *hanselk@water.ca.gov*

PUBLIC OUTREACH

Kate briefly reviewed the public outreach process to date. There will be no advertisements in the paper, and one meeting for the public. Six other meetings are planned prior to distribution of the RFP in order to advertise the opportunities.

FLOOD EMERGENCY ACTION TEAM (FEAT)

A brief update was provided on FEAT. No actions will be taken on any potential Restoration Reserve projects prior to next month. More information will be provided about the FEAT related actions at the next meeting.